

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In the Matter of Laurene Yu  
*Plaintiff*

**AGAINST**

City of New York  
100 Church  
New York, NY 10007  
And  
Administration for Children Services (ACS)  
150 William Street, New York, NY 10038  
*Defendants*

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**DECLARATION OF  
LAURENE YU  
IN SUPPORT OF  
SECOND AMENDED  
COMPLAINT AND  
MOTION TO OPPOSE  
DEFENDANTS'  
OPPOSITION**

17-CV-7327(AJN)(BCM)

Pro Se Plaintiff, LAURENE YU declares, under penalty of perjury and pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. This declaration is respectfully submitted in support of my Second Amended Complaint, and Motion in Opposition to Dismiss by Defendants in its entirety pursuant to Federal Rules of Civil Procedure Rule 12(b).
2. Annexed hereto as Exhibit "A" is a true and accurate copy from website <https://nypost.com/2016/12/18/acs-employs-more-bosses-than-abuse-caseworkers/>
3. Annexed hereto as Exhibit "B" is a true and accurate cover sheet from Arbitrator Decision and Award, for Out of Title Work proven that I was competent and did work doing similar work as Supervisor Postiglione, but was not recognized and penalized instead by delay and tribulation.

4. Annexed hereto as Exhibit “C” is a true and accurate copy of internal ACS EEO memo visible since 2007, titled Inappropriate Behavior in the Workplace against Asians.
5. Annexed hereto as Exhibit “D” (1-4) is a true and accurate copy of NYS ALJ Judgment Award for Unemployment after termination in 2016, under Defendants’ second default. Notice was also stated Defendants to appeal this determination.
6. Annexed hereto as Exhibit “E” is a true and accurate copy of recordings of my registered email on file for the Courts, “[laurene.yu@gmail](mailto:laurene.yu@gmail.com)” being blocked from Defendants.
7. Annexed hereto as Exhibit “F” (1-2) is a true and accurate copy of my documents recorded to Defendants on Workplace Violence Report against Supervisor Postiglione and Supervisor Simmons, that was never investigated.
8. Annexed hereto as Exhibit “G” is a true and accurate copy of Supervisor Postiglione’s email in 2015 receiving “Reinstatement pay” in which she denied being demoted, and not having to follow my path through the Union Collective Bargaining Agreement. Notice was endorsed by Defendants, Commissioners and Administrators, Michael Hannon, Sharon McDougall and Dgwanti Parbhudial.
9. Annexed hereto as Exhibit “H” (1-3) is a true and accurate copy of a sample of my recordings of the major malfunctions in both an Apple and PC computer unseen before.

10. Annexed hereto as Exhibit “I” is a true and accurate copy of 2015 ACS newsletter announcing Supervisor Kaytlin Simmons’ appointment and credentials which ALJ Ziogniotti stated “had no reason to lie.”
11. Annexed hereto as Exhibit “J” is a true and accurate copy of US EEOC CHARGE, dated July 28, 2017 and Dismissal and Notice of Rights dated Aug. 10, 2017.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
August 27, 2020

Laurene Yu  
Pro se Plaintiff

# EXHIBIT A



METRO

## ACS employs more bosses than abuse caseworkers

By Rich Calder and Bruce Golding

December 18, 2016 | 11:32pm | Updated



Bill de Blasio  
Getty Images

The city's beleaguered child welfare agency has become bloated with bosses under Mayor Bill de Blasio, with honchos accounting for more than one-quarter of its workforce — and even outnumbering the caseworkers sent to investigate suspected child abuse, an analysis by The Post has found.

And, adding insult to injury, the biggest earner this past fiscal year was a staff plumber.

Payroll records reveal that more than 28 percent of employees at the Administration for Children's Services held management titles during fiscal 2016.

Of the 1,932 upper-echelon workers employed by ACS, only 496 were "child protective specialist supervisors" dealing directly with cases of abuse and neglect, while the rest filled out the agency's bureaucracy.

Meanwhile, outgoing Commissioner Gladys Carrion — who last week [announced she was quitting amid ire over the recent beating deaths](#) of two kids who were on the agency's radar — earned less than a veteran ACS plumber.

Mark Kane took home \$228,529 between July 1, 2015, and June 30, 2016, compared with the \$217,451 earned by Carrion, records show.

Another plumber, Joseph LaBarbara, pocketed \$184,831, enough to make him ACS's eighth-highest-paid employee for the year.

Under de Blasio, the entire ACS staff shrank to 6,883 employees during fiscal 2016 from 6,995 during fiscal 2013, the last budget period over which Ex-Mayor Mike Bloomberg had complete control.

But while the total number of workers fell, de Blasio added 187 bosses to the 1,745 under Bloomberg.

The latest ACS payroll lists 747 "supervisors" and "superintendents," 630 "administrators," 510 "directors" and 43 "managers" for a total of 1,932 bosses, including the commissioner and deputy commissioner.

Yet there were just 1,864 workers directly handling child welfare cases.

The 28 percent of ACS staff that makes up management exceeds the 23 percent at the city's Department of Homeless Services and is double the 14 percent at the Department of Health.

City Comptroller Scott Stringer on Sunday called The Post's findings "troubling."

"Lives are at stake, and we've seen too many of our most vulnerable children fall through the cracks," he said. "We need to eliminate the bloated bureaucracy and ensure that we put children, not adults, first."

Councilman Joe Borelli (R-Staten Island) compared ACS unfavorably to the Los Angeles Department of Children and Family Services, saying it spends "a billion more to investigate less than half the cases."

ACS was rocked last week by a state report that faulted it in the Sept. 26 beating death of 6-year-old Zymere Perkins following five failed investigations into abuse.

The state ordered the city to appoint an outside monitor for ACS.

## **SEE ALSO**

**Caseworker, supervisor  
among ACS workers who  
botched tot's case**

Kane, the payroll-topping plumber, couldn't be reached, but LaBarbara said their wallets were fattened in part by lump-sum checks covering eight years of retroactive pay raises.

"This is not a year-over-year thing. It was a total fluke that year," said LaBarbara, 57, of Staten Island.

ACS spokesman José Bayona said, "We have a total of 135 senior managers at ACS, assistant, associate and deputy commissioners. The rest are middle managers."

He also said the agency's plumbers performed maintenance and repairs at 50 to 75 sites.

FILED UNDER **ADMINISTRATION FOR CHILDREN'S SERVICES, BILL DE BLASIO, CHILD ABUSE, ENDANGERING THE WELFARE OF A CHILD, GLADYS CARRION,**  
**12/18/16**

# EXHIBIT B

American Federation of State, County & Municipal Employees, AFL-CIO

123 BARCLAY STREET • NEW YORK, NY 10007-2179

## LEGAL DEPARTMENT

Telephone: 212-815-1450

Fax: 212-815-1440

**District Council**

**37**

August 7, 2012

MARY J. O'CONNELL  
General Counsel

ROBIN ROACH  
Associate General Counsel

STEVEN E. SYKES  
Senior Assistant General Counsel



Assistant General Counsel

Alan M. Brown  
Thomas Cooke  
Jesse Gribben  
Dena Klein  
Erica Gray-Nelson  
Meaghan Murphy  
Ximena Naranjo  
Aaron S. Amaral  
Deena S. Mikhail

BY FIRST CLASS MAIL

Laurene Yu  
432 East 14<sup>th</sup> St., #7  
New York, NY 10007

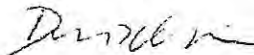
Re: Arbitration Decision and Award  
ACS, L. 375 (Exp., Out-of-Title)  
A-14088-11

Dear Ms. Yu:

As we discussed yesterday, enclosed please find a copy of the arbitrator's decision and award in the out-of-title grievance filed on your behalf. The arbitrator sustained the grievance, in part, finding that you were performing out-of-title duties consistent with those of a Graphic Artist Level II for the period of January 2011 until the end of June 2011. As such, you are to receive the difference in pay between that of your salary as a Graphic Artist Level I and the salary of a Graphic Artist Level II for such 6-month period.

You should receive the backpay award within 4-6 weeks. If you have any questions, please do not hesitate to contact me at (212) 815-1450.

Very truly yours,



Dena Klein

cc: M. Rosenberg, N. Brooker, M. Anderson, E. Mora, M.J. O'Connell

✓

# EXHIBIT C





ADMINISTRATION FOR CHILDREN'S SERVICES  
OFFICE OF EQUAL EMPLOYMENT OPPORTUNITY

2 Washington Street - 20th Floor

New York, NY 10004

Telephone: (212) 487-8604/5 Fax (212) 487-8596

WILLIAM C. BELL  
Commissioner

JOHN BENANTI  
Deputy Commissioner

MARY ANN SALLEY  
EEO Officer/Director

MEMORANDUM

To: ALL STAFF - At 150 William Street

From: Mary Ann Salley *MAS*

Date: June 24, 2002

Re: INAPPROPRIATE BEHAVIOR IN THE WORKPLACE

It was recently brought to the attention of this office that male staff members of ACS were cat-calling and making disparaging remarks to bypassing females. Additionally, these ACS employees spoke in a mimicking offensive dialect toward Asian pedestrians who were passing on the street. This type of behavior was offensive to other employees and non-employees, as well as being embarrassing to this Agency.

This memo is a reminder, to all ACS employees regarding mandated compliance to the ACS Code of Conduct and Equal Employment Opportunity Policies, Title VII of the Civil Rights Act of 1964 as well as Federal, State and City Laws that prohibit inappropriate behavior in the workplace. ACS has "Zero Tolerance" for violations of these statutes.

Please remember everyone is accountable for appropriate behavior on and off the work premises. The guidelines of the Sexual Harassment Policy Statement pertain to behavior that takes place on or off the premises especially when it involves New York City employees. Therefore, the Code of Conduct and the ACS EEO Policies requires you to be accountable for your actions.

Reports of any reoccurring incidents as the aforementioned, will be subject to disciplinary action contingent upon a formal EEO investigation.

9951 Lh:MM

# EXHIBIT D



JAYSON S. MYERS  
CHIEF ADMINISTRATIVE LAW JUDGE  
TERESA A. DEMEO  
CHRISTOPHER M. TATE  
MATTHEW J. TIERNEY  
PRINCIPAL ADMINISTRATIVE LAW JUDGE

STATE OF NEW YORK  
**UNEMPLOYMENT INSURANCE APPEAL BOARD**  
ADMINISTRATIVE LAW JUDGE SECTION  
UI Appeal Board, ALJ SECTION  
TROY ATRIUM 2ND FL. SUITE 2005 49 4TH ST.  
TROY NY 12180  
(518) 402-0210  
FAX:(518) 402-0196

JOHN F. MULLER  
CAROL S. JOHNSON  
SENIOR ADMINISTRATIVE LAW JUDGE

**DECISION AND NOTICE OF DECISION**  
**DECISIÓN Y AVISO DE LA DECISIÓN TOMADA**

A.L.J. Case No. 017-17739

Mailed and Filed: September 18, 2017

IN THE MATTER OF:

**LAURENE YU**

**THE CITY OF NEW YORK**  
**DEPT OF DCAP**  
**1 CENTRE ST RM 2180**  
**NEW YORK NY 10007-1602**

Department of Labor Office: 831

Hearing Requested: June 15, 2017

**PLEASE TAKE NOTICE** that this decision has been duly mailed on the date listed above. If you appeared at the hearing and are not satisfied with this decision, you may appeal within **TWENTY DAYS** from the date this decision was mailed. **READ IMPORTANT INFORMATION ON REVERSE SIDE REGARDING YOUR RIGHT TO APPEAL.** Any party who failed to appear at the hearing has the right to apply to reopen the case. For the application to be granted, the party must apply within a reasonable time and must establish good cause for its failure to appear.

**POR FAVOR TOME NOTA:** esta decisión ha sido debidamente enviada por correo en la fecha que aparece arriba. Si usted asistió a la audiencia y no está satisfecho con la decisión, puede apelar dentro de **VEINTE DIAS** contados a partir de la fecha en que esta decisión fue enviada por correo. **LEA LA INFORMACIÓN IMPORTANTE AL REVERSO SOBRE SUS DERECHOS DE APELACIÓN.** Cualquiera de las partes que falle en comparecer a la audiencia, tiene el derecho de solicitar que se reabra su caso. Para que dicha solicitud sea otorgada, la parte interesada debe solicitarlo dentro de un periodo de tiempo razonable y debe establecer buena causa por no haber comparecido a la audiencia.

**DOCUMENTO IMPORTANTE. PUEDE OBTENER UNA TRADUCCIÓN DEL MISMO LLAMANDO**  
**AL 1-888-209-8124 (FUERA DEL ESTADO DE NUEVA YORK 1-877-358-5306)**

**ISSUES:** Loss of employment through misconduct.  
Forfeiture of future benefits due to willful false statement or misrepresentation.  
Overpayment of benefits.  
Employer's Application to Reopen Case No. 016-07659.  
Monetary penalty due to willful false statement or misrepresentation.

**EMPLOYER SECOND DEFAULT - CLAIMANT'S CASE**

**FINDINGS OF FACT:** The claimant requested a hearing. A hearing was held at which testimony was taken. The employer was present but was not prepared to proceed and, therefore, the employer is deemed to have failed to appear at the hearing. By decision of the Administrative Law Judge (A.L.J. Case No. 016-07659), the initial determinations were overruled. The employer applied to reopen that decision.



**NOTICE OF DECISION****CLAIMANTS****IF YOU DISAGREE WITH THIS DECISION, YOU HAVE A RIGHT TO APPEAL TO THE UNEMPLOYMENT INSURANCE APPEAL BOARD.**

Parties may be represented by lawyers or other persons of their choice on appeal to the Appeal Board. For representing a claimant, a lawyer or an agent registered by the Appeal Board may charge a fee. The fee must be approved by the Appeal Board before payment may be accepted by such lawyer or agent. No other person may charge a fee for representing a claimant. If you do not have enough money to hire a lawyer or registered agent, you may be able to get one free through your local Legal Aid Society or Legal Services Program.

**TO APPEAL A DECISION**

1. Continue to follow **all** instructions from the Unemployment Insurance office where you originally filed your claim and to certify for benefits as long as you are unemployed and claiming benefits. This will protect your rights to any benefits you claim.
2. Within twenty (20) days of the date printed on the face of this decision, mail a letter to the office where you originally filed your claim or to the Appeal Board at P.O. Box 15126, Albany, New York 12212-5126, or fax your appeal to the Appeal Board at (518) 402-6208. Please state that you wish to appeal and the reasons for your appeal. Include your ALJ Case Number (found just above your name on the face of the Notice of Decision) and a copy of the Notice of Decision.
3. Claimants who appeal are **not** required to pay a deposit on filing an appeal.

**EMPLOYERS**

If you wish to appeal this decision, you may file a notice of appeal within twenty (20) days from the date printed on the face of this decision to the office where the claim was originally filed and which issued the initial determination, or to the Unemployment Insurance Appeal Board at P.O. Box 15126, Albany, New York 12212-5126, or you may fax your notice of appeal to the Appeal Board at (518) 402-6208. Such notice of appeal should include the A.L.J. Case Number (found on the face of this Notice of Decision), the reason(s) for the appeal and a copy of the Notice of Decision.

**ALL PARTIES WILL RECEIVE A NOTICE OF RECEIPT OF APPEAL DIRECTLY FROM THE APPEAL BOARD AFTER ANY APPEAL IS MADE.**

**INSTRUCCIONES A LOS RECLAMANTES****RECLAMANTES****SI NO ESTÁ DE ACUERDO CON ESTA DECISIÓN, USTED TIENE DERECHO DE APELARLA A LA JUNTA DE APELACIONES DEL SEGURO POR DESEMPLEO.**

Las partes si lo desean, pueden estar representadas por abogados u otras personas que ellos seleccionen en la apelación a la Junta de Apelaciones (Appeal Board). Un abogado o un agente que esté registrado por la Junta de Apelaciones, puede cobrarse honorarios por representarle. Estos honorarios deben ser aprobados por la Junta de Apelaciones antes que el pago pueda ser aceptado por dicho abogado o agente registrado. Ninguna otra persona podrá cobrar honorarios por representar al reclamante. Si usted no tiene suficiente dinero para contratar a un abogado o un agente registrado, puede conseguir uno gratis a través de la Sociedad de Asistencia Legal (Legal Aid Society) o el Programa de Servicios Legales (Legal Services Program).

**PARA APELAR LA DECISIÓN**

1. Continúe siguiendo **todas** las instrucciones de la oficina del Seguro por Desempleo (Unemployment Insurance) donde usted presentó su reclamo originalmente y para certificar por los beneficios mientras permanezca desempleado y esté reclamando beneficios. Esto protegerá su derecho a recibir cualquier beneficio que reclame.
2. Antes de cumplirse veinte (20) días de la fecha que aparece al frente de esta decisión, envíe una carta a la oficina donde presentó originalmente su petición o al Appeal Board a P.O. Box 15126, Albany, New York 12212-5126, o envíe por fax su apelación al Appeal Board al (518) 402-6208. Por favor, explique que desea apelar y las razones que tiene para hacerlo. Incluya su número de caso ALJ (lo encontrará justo encima de su nombre al frente de este Aviso de Decisión) y envíe una copia de este Aviso de Decisión.
3. Los reclamantes **no** necesitan depositar dinero para poder apelar su caso.

**TODAS LAS PARTES RECIBIRÁN UN AVISO DE RECIBO DE APELACIÓN DIRECTAMENTE DE LA JUNTA DE APELACIONES DESPUÉS DE QUE SU PETICIÓN SEA RECIBIDA.**

A hearing was scheduled. The employer contacted the Administrative Law Judge hearing section in advance of the hearing and notified the hearing section that the employer was not going to appear for the hearing. Following the employer's notification, the hearing section contacted the claimant and notified the claimant not to appear.

OPINION: Based upon a review of the record and evidence herein, the employer is held in default because the employer failed to appear at the requested hearing.

DECISION: The employer's application to reopen the decision of the Administrative Law Judge is denied. That decision continues in effect.

The initial determinations are overruled. The claimant is allowed benefits.

TO THE EMPLOYER:

YOU HAVE NOT APPEARED AT TWO SCHEDULED HEARINGS. ANY FURTHER REQUEST FOR REOPENING MUST BE MADE TO THE APPEAL BOARD. A request to reopen must be made in writing and sent by fax to (518) 402-6208 or by mail to the Unemployment Insurance Appeal Board, PO Box 15126, Albany, NY 12212-5126. The request must include the case numbers that you are requesting to reopen and an explanation of the reason for the failure to appear at both hearings. Attach any documentation that supports your reason. You will be granted another hearing only if the Board determines, based upon its review of the case file, that your failure to appear or proceed at both prior hearings was for good cause or if in its discretion the Board orders another hearing to consider that question.

/s/ Osa Iyinbo

**Administrative Law Judge**



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**PARA APELAR LA DECISIÓN**

1. Continúe siguiendo **todas** las instrucciones de la oficina del Seguro por Desempleo (Unemployment Insurance) donde usted presentó su reclamo originalmente y para certificar por los beneficios mientras permanezca desempleado y esté reclamando beneficios. Esto protegerá su derecho a recibir cualquier beneficio que reclame.
2. Antes de cumplirse veinte (20) días de la fecha que aparece al frente de esta decisión, envíe una carta a la oficina donde presentó originalmente su petición o al Appeal Board a P.O. Box 15126, Albany, New York 12212-5126, o envíe por fax su apelación al Appeal Board al (518) 402-6208. Por favor, explique que desea apelar y las razones que tiene para hacerlo. Incluya su número de caso ALJ (lo encontrará justo encima de su nombre al frente de este Aviso de Decisión) y envíe una copia de este Aviso de Decisión.
3. Los reclamantes **no** necesitan depositar dinero para poder apelar su caso.

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# EXHIBIT E

1. [Wilkins, Kimberly E. \(Law\) \(kwilkins@law.nyc.gov\)](mailto:kwilkins@law.nyc.gov)

This message was rejected by the recipient e-mail system. Please check the recipient's e-mail address and try resending this message, or contact the recipient directly.

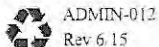
2. [Sullivan, Donald \(Law\) \(Dsulliva@law.nyc.gov\)](mailto:Dsulliva@law.nyc.gov)

This message was rejected by the recipient e-mail system. Please check the recipient's e-mail address and try resending this message, or contact the recipient directly.

3. The following organization rejected your message: [csmail.nyc.gov](mailto:csmail.nyc.gov)

# EXHIBIT F




☐ PRIVACY CONCERN CASE\*\*

**NYC Administration for Children's Services**  
**Workplace Violence Incident Report**

EX 10

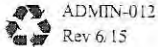
**Incident Information**

Staff Victim: Name, Title (Please include Civil Service and Functional Title), Contact info of Person(s) Involved in Incident:	Laurene Yu Graphic Artist,  Kaytlin Simmons, Esq. Chief of Staff		
Supervisor's Name and Phone Number:	Mitch Gipson Deputy Commissioner 212 341-9005	Witness(es) to Incident: (names, titles & contact info of other persons involved):	Others
Division:	Admin	Name(s) of Perpetrator(s) (names, titles & contact info of other persons involved):	<input type="checkbox"/> Youth <input checked="" type="checkbox"/> Staff Member
Program:			
Date of Incident:	Mar 10, 2016	Time of Incident:	5:00p
Location of Incident:	<input type="checkbox"/> ACS Office Site <input type="checkbox"/> Community <input type="checkbox"/> Provider Agency <input type="checkbox"/> Court <input type="checkbox"/> Family's Home <input type="checkbox"/> School <input checked="" type="checkbox"/> Staff Home <input type="checkbox"/> Street <input type="checkbox"/> Highway/Parkway <input type="checkbox"/> Public Transportation <input type="checkbox"/> Hospital <input type="checkbox"/> Secure Detention <input type="checkbox"/> Non-Secure Detention <input type="checkbox"/> Court Transport <input type="checkbox"/> Other:		
Name & Address of Facility/Workplace Where Incident Occurred:	150 William, 14th floor NYC, NY 10038		
Name of Housing Complex (If Applicable):		Borough: <input type="checkbox"/> Bronx <input type="checkbox"/> Brooklyn <input checked="" type="checkbox"/> Manhattan <input type="checkbox"/> Queens (pick one) <input type="checkbox"/> Staten Island	

**Incident Description**

Type of Contact:	<input type="checkbox"/> Email <input type="checkbox"/> Mail	<input checked="" type="checkbox"/> Face to Face <input type="checkbox"/> Telephone	<input type="checkbox"/> Fax <input type="checkbox"/> Other <input type="checkbox"/> N/A
Type of Incident:	<input checked="" type="checkbox"/> Threat <input type="checkbox"/> Violation of Order of Protection <input type="checkbox"/> Sexual Assault <input type="checkbox"/> Shots Fired	<input type="checkbox"/> Sexual Misconduct <input type="checkbox"/> Display of Force <input type="checkbox"/> Physical Intimidation <input type="checkbox"/> Homicide <input type="checkbox"/> Wrongful Intentional Physical Contact	<input type="checkbox"/> Assault <input checked="" type="checkbox"/> Harassment <input type="checkbox"/> Robbery <input type="checkbox"/> Stalking <input type="checkbox"/> Other:
Did the incident take place during a scheduled conference?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Does Perpetrator have current or past involvement with the following:	<input type="checkbox"/> Domestic Violence <input type="checkbox"/> Criminal History <input checked="" type="checkbox"/> Psychiatric/Mental Health Issues <input checked="" type="checkbox"/> Unknown <input type="checkbox"/> Substance Abuse <input type="checkbox"/> N/A <input type="checkbox"/> Juvenile Justice System		
Describe Incident (detailed description of incident, events leading up to incident and how it ended):	On a previous occasion, I heard her state a threatening comment to stab someone's eye out. She used a pen. Mar 10, 2016: I was the receiver of verbal harassment when I asked her about signing my time sheet; for the third time, she instantly flipped and then accused me of threatening her. I documented to Security, but Security ignored me.		




☐ PRIVACY CONCERN CASE\*\*

**NYC Administration for Children's Services**  
**Workplace Violence Incident Report**

*Ex 10*

**Incident Information**

Staff Victim: Name, Title (Please include Civil Service and Functional Title), Contact info of Person(s) Involved in Incident:	Laurene Yu Graphic Artist,  Laura Postiglione, Admin Staff Analyst		
Supervisor's Name and Phone Number:	Sharon Mcdougall/ Assist Commisioner Dgwanti Parbhidial 212-341-2934	Witness(es) to Incident:(names, titles & contact info of other persons involved):	Others
Division:	Admin	Name(s) of Perpetrator(s) (names, titles & contact info of other persons involved):	<input type="checkbox"/> Youth <input checked="" type="checkbox"/> Staff Member
Program:			
Date of Incident:	Dec 16, 2015	Time of Incident:	4:40p
Location of Incident:	<input type="checkbox"/> ACS Office Site <input type="checkbox"/> Community <input type="checkbox"/> Provider Agency <input type="checkbox"/> Court <input type="checkbox"/> Family's Home <input type="checkbox"/> School <input checked="" type="checkbox"/> Staff Home <input type="checkbox"/> Street <input type="checkbox"/> Highway/Parkway <input type="checkbox"/> Public Transportation <input type="checkbox"/> Hospital <input type="checkbox"/> Secure Detention <input type="checkbox"/> Non-Secure Detention <input type="checkbox"/> Court Transport <input type="checkbox"/> Other:		
Name & Address of Facility/Workplace Where Incident Occurred:	150 William, 14th floor NYC, NY 10038		
Name of Housing Complex (If Applicable):		Borough:	<input type="checkbox"/> Bronx <input type="checkbox"/> Brooklyn <input checked="" type="checkbox"/> Manhattan <input type="checkbox"/> Queens <input type="checkbox"/> Staten Island

**Incident Description**

Type of Contact:	<input type="checkbox"/> Email <input type="checkbox"/> Mail	<input checked="" type="checkbox"/> Face to Face <input type="checkbox"/> Telephone	<input type="checkbox"/> Fax <input type="checkbox"/> Other <input type="checkbox"/> N/A
Type of Incident:	<input checked="" type="checkbox"/> Threat <input type="checkbox"/> Violation of Order of Protection <input type="checkbox"/> Sexual Assault <input type="checkbox"/> Shots Fired	<input type="checkbox"/> Sexual Misconduct <input type="checkbox"/> Display of Force <input type="checkbox"/> Physical Intimidation <input type="checkbox"/> Homicide <input type="checkbox"/> Wrongful Intentional Physical Contact	<input type="checkbox"/> Assault <input checked="" type="checkbox"/> Harassment <input type="checkbox"/> Robbery <input type="checkbox"/> Stalking <input type="checkbox"/> Other:
Did the incident take place during a scheduled conference?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Does Perpetrator have current or past involvement with the following:	<input type="checkbox"/> Domestic Violence <input type="checkbox"/> Criminal History <input checked="" type="checkbox"/> Psychiatric/Mental Health Issues <input checked="" type="checkbox"/> Unknown <input type="checkbox"/> Substance Abuse <input type="checkbox"/> N/A <input type="checkbox"/> Juvenile Justice System		
Describe Incident (detailed description of incident, events leading up to incident and how it ended):	I noted that Laura Postiglione approached me in the lobby, as I was standing there along and she put her body next to mine "Laurene, aren't you tired of doing nothing all day?"		





# EXHIBIT G

**Postiglione, Laura (ACS)**

---

**From:** Laura <scribe19@earthlink.net>  
**Sent:** Wednesday, May 06, 2015 8:15 PM  
**To:** Postiglione, Laura (ACS)  
**Subject:** Fwd: Staffing Actions Approvals - 141218c  
**Attachments:** ACS 100 Employee Application.pdf

11/13/15

Begin forwarded message:

**From:** "Postiglione, Laura (ACS)" <lpost@acs.nyc.gov>  
**Subject:** FW: Staffing Actions Approvals - 141218c  
**Date:** January 5, 2015 12:37:38 PM EST  
**To:** "scribe19@earthlink.net" <scribe19@earthlink.net>

---

**From:** Parbhudial, Dgawanti (ACS)  
**Sent:** Friday, January 02, 2015 4:56 PM  
**To:** Postiglione, Laura (ACS)  
**Cc:** McDougall, Sharon (ACS)  
**Subject:** FW: Staffing Actions Approvals - 141218c

Hi Laura

Please complete and submit the attached ACS100 along with a copy of your resume.

Thanks.  
Dee.

Good Afternoon Mitch/Michael,

At the 12/18/2014 Staffing Actions Committee meeting, Commissioner Carrión approved 1 requested action for your Division, as noted below.

If you have questions please forward them to the Staffing Actions Committee mailbox ([acs.sm.staffing.actions@acs.nyc.gov](mailto:acs.sm.staffing.actions@acs.nyc.gov)). **Please note:** all actions now have an assigned position number.

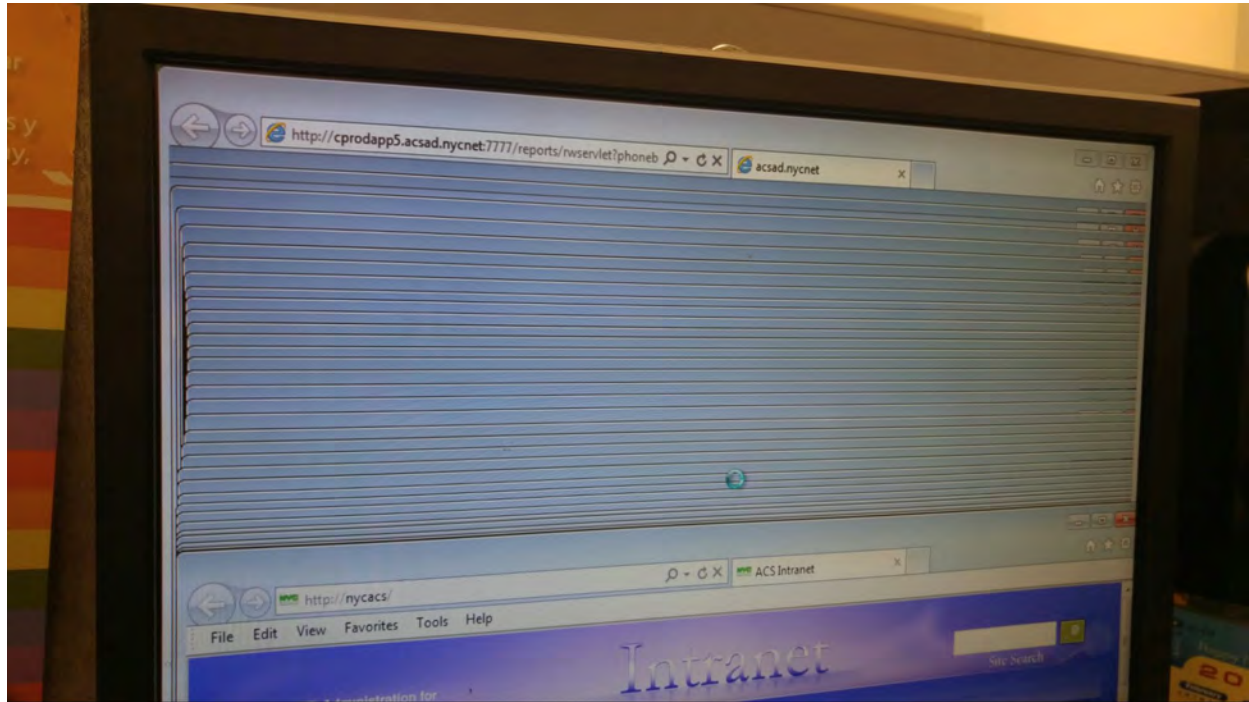
The following 1 requested staffing action is APPROVED:

**141218c: Approved.**

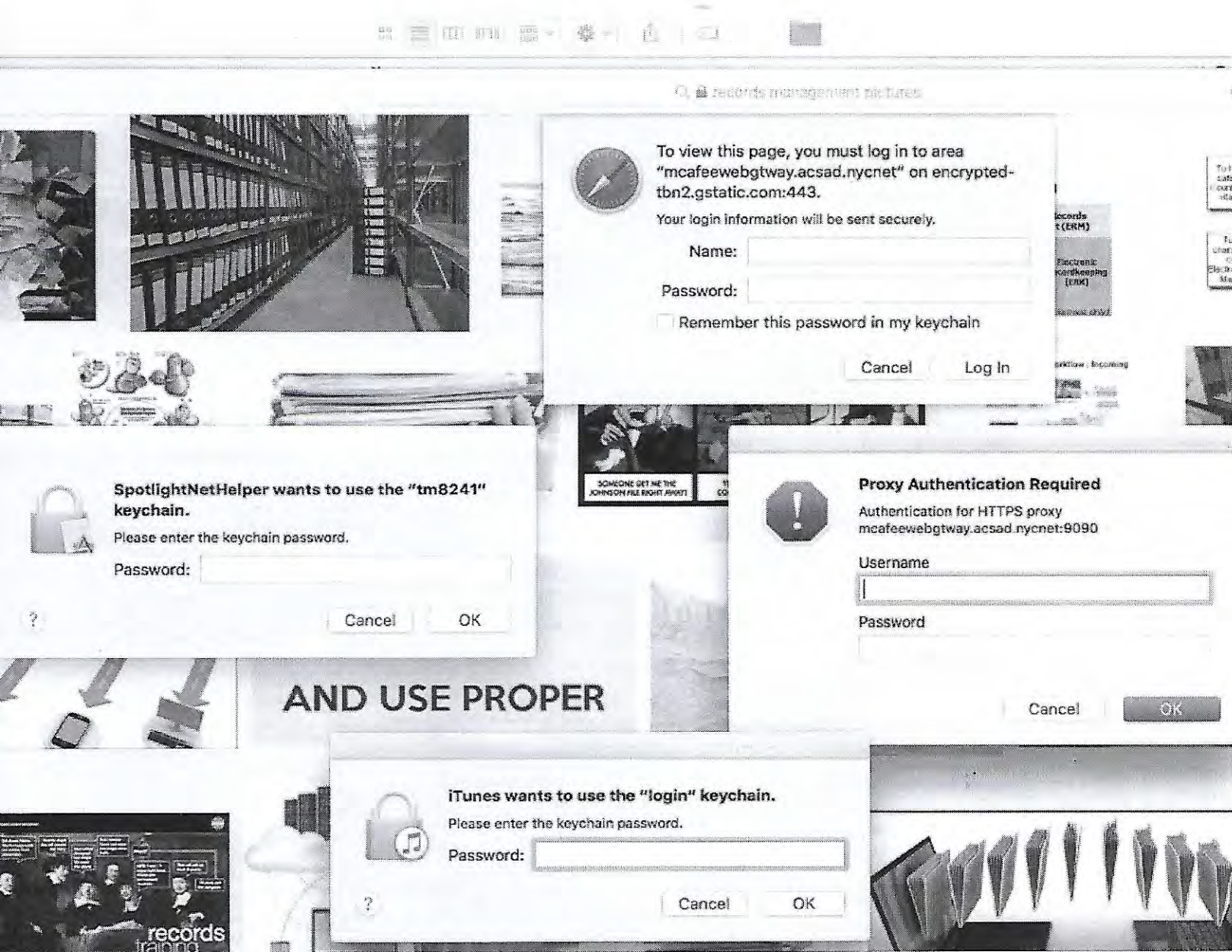
**Administration (Program Services): Salary and Title Reinstatement for Director of Marketing and Graphics (Staff Analyst)**

**Justification:** Admin requests that Laura Postiglione's salary of \$78,000 and title of Administrative Staff

# EXHIBIT H

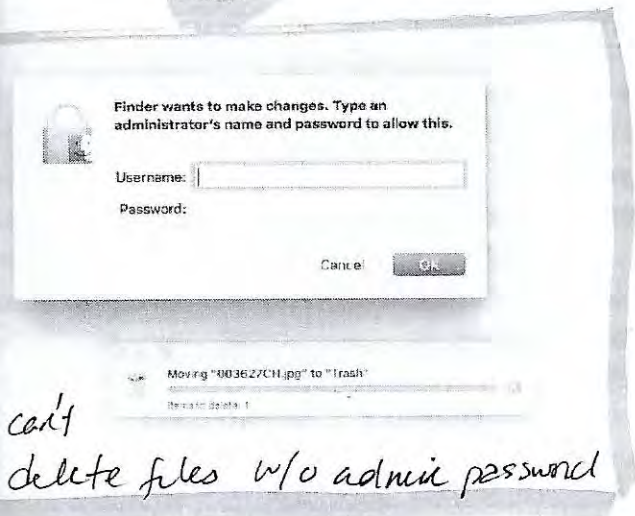






ERRORS

014



can't  
delete files w/o admin password

Pop-ups



accountsd wants to use the "login" keychain.  
Please enter the keychain password.

Password:

Cancel OK

Pop-ups



SpotlightNetHelper wants to use the "tm8241" keychain.

Please enter the keychain password.

Password:

Cancel OK



iTunes wants to use the "tm8241" keychain.

Please enter the keychain password.

Password:

Cancel OK



storeassetsd wants to use the "tm8241" keychain.

Please enter the keychain password.

Password:

Cancel OK



Date Modified	Size	Kind
Jan 3, 2014, 11:17 AM		Folder
Mar 6, 2012, 1:03 PM	5.6 MB	JPEGs
Jan 3, 2014, 11:38 AM	5.7 MB	Quark
Mar 6, 2012, 1:01 PM	3.4 MB	JPEGs
12, 2012, 10:17 AM	3.8 MB	Quark
3, 2014, 11:12 AM		Folder
3, 2014, 11:13 AM		Folder
31, 2013, 11:08 AM	2.3 MB	Adobe
31, 2013, 10:16 AM	2.8 MB	Micro
31, 2013, 1:15 PM	2.6 MB	Micro
31, 2013, 3:50 PM	4.6 MB	Adobe
31, 2013, 3:50 PM	3.6 MB	Adobe
25 PM	2.9 MB	Micro

May 30, 2016

# EXHIBIT I



## All Staff Bulletin



**December 2, 2015**

**From Deputy Commissioner Mitch Gipson  
Division of Administration**

**– Division Appointments –**

I am pleased to announce the following appointments and organizational changes within the Division of Administration.

**Kaytlin Simmons, Esq., Chief of Staff**

Kaytlin will assist in the coordination of operational and administrative functions for the Division. In addition, Kaytlin will work with cross-divisional partners, leadership within the Division, and representatives of other City Agencies to ensure that agency policies are implemented. Kaytlin will also work closely with the senior management teams throughout the Agency to manage internal and external relationships.

In addition to her role as Chief of Staff, Kaytlin also serves as the primary Agency representative for Mayoral Directive No. 1 and Local Law 29 compliance, the Mayor's Office of Workforce Development's HireNYC initiative and as the Secretary of the Staffing Actions Review Committee.

Prior to this appointment, Kaytlin served as Special Assistant to the Deputy Commissioner of Administration. She holds a Bachelor's Degree in Political Science and Government from John Jay College of Criminal Justice, a Master's of Business Administration from Columbia University and a Juris Doctor from New York Law School.

Raised in Brooklyn, Kaytlin is mom to 2-year-old identical twin girls Paityn and Paige, which incidentally ties in with her office number 14-P2



# EXHIBIT J

EEOC FORM 131 (11/09)

## U.S. Equal Employment Opportunity Commission

NYC ACS

Attn: Susan Starker – EEO Director  
 110 William Street  
 20th Floor  
 New York, NY 10038

PERSON FILING CHARGE

Laurene Yu

THIS PERSON (check one or both)



Claims To Be Aggrieved



Is Filing on Behalf of Other(s)

EEOC CHARGE NO.

520-2017-03098

## NOTICE OF CHARGE OF DISCRIMINATION

(See the enclosed for additional information)

This is notice that a charge of employment discrimination has been filed against your organization under:



Title VII of the Civil Rights Act (Title VII)



The Equal Pay Act (EPA)



The Americans with Disabilities Act (ADA)



The Age Discrimination in Employment Act (ADEA)



The Genetic Information Nondiscrimination Act (GINA)

The boxes checked below apply to our handling of this charge:

1. ☒ No action is required by you at this time.
2. ☐ Please call the EEOC Representative listed below concerning the further handling of this charge.
3. ☐ Please provide by a statement of your position on the issues covered by this charge, with copies of any supporting documentation to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.
4. ☐ Please respond fully by to the enclosed request for information and send your response to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.
5. ☐ EEOC has a Mediation program that gives parties an opportunity to resolve the issues of a charge without extensive investigation or expenditure of resources. If you would like to participate, please say so on the enclosed form and respond by to  
 If you DO NOT wish to try Mediation, you must respond to any request(s) made above by the date(s) specified there.

For further inquiry on this matter, please use the charge number shown above. Your position statement, your response to our request for information, or any inquiry you may have should be directed to:

Mabel Tso,  
 Investigator

EEOC Representative

Telephone

(212) 336-3762

New York District Office  
 33 Whitehall Street  
 5th Floor  
 New York, NY 10004  
 Fax: (212) 336-3625

Enclosure(s): ☐ Copy of Charge

## CIRCUMSTANCES OF ALLEGED DISCRIMINATION

☒ Race ☐ Color ☐ Sex ☐ Religion ☐ National Origin ☒ Age ☐ Disability ☒ Retaliation ☐ Genetic Information ☐ Other

ISSUES: Discharge, Hiring

DATE(S) (on or about): EARLIEST: 09-13-2016 LATEST: 09-13-2016

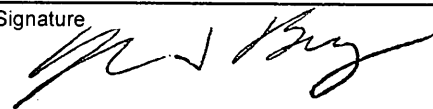
Date

July 28, 2017

Name / Title of Authorized Official

Kevin J. Berry,  
 District Director

Signature



## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## DISMISSAL AND NOTICE OF RIGHTS

To: Laurene Yu


 From: New York District Office  
 33 Whitehall Street  
 5th Floor  
 New York, NY 10004

 On behalf of person(s) aggrieved whose identity is  
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

520-2017-03098

 Mabel Tso,  
 Investigator

(212) 336-3762

## THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

## - NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On Behalf of the Commission

 Kevin J. Berry,  
 District Director

AUG 10 2017

(Date Mailed)

Enclosures(s)

 CC: Susan Starker, Esq.  
 EEO Director  
 NYC ACS  
 110 William Street  
 20th Floor  
 New York, NY 10038



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
**New York District Office**

33 Whitehall Street, 5<sup>th</sup> Floor  
New York, NY 10004-2112  
(212) 336-3620  
TTY (212) 336-3622

**Laurene Yu**

*Re: EEOC Charge No. 520-2017-03098*  
*Laurene Yu v. NYC Administration for Children's Services*

Dear Ms. Yu:

The Equal Employment Opportunity Commission (hereinafter referred to as the "Commission"), has reviewed the above-referenced charge according to our charge prioritization procedures. The procedures apply to all open charges in our inventory and call for us to focus our limited resources on those cases that are most likely to result in findings of violations of the laws we enforce.

In accordance with these procedures, we have examined your charge based upon the information and evidence you submitted. You allege that you were discriminated against by the New York City Administration for Children's Services ("Respondent") on the basis of your national origin and age, in violation of Title VII of the Civil Rights Act of 1964 and Age Discrimination in Enforcement Act of 1967, as amended.

We have evaluated your charge based upon the information you submitted, and have determined that further investigation will unlikely result in a determination that Respondent violated one of the federal laws enforced by the Commission. Therefore, your charge will be dismissed.

Attached is your Dismissal and Notice of Rights. If you want to pursue this matter further in federal court, your lawsuit must be filed within 90 days of your receipt of the Notice.

Please contact Federal Investigator Mabel Tso at (212) 336-3762 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin J. Berry", is written over a horizontal line.

Kevin J. Berry  
District Director

for

AUG 10 2017

Date

enc.